

#44

March 7, 2002

In re Patent Application of:

Attorney Docket No.: 5634.0261

John C. Harvey and

James W. Cuddihy

Application No.: 08/470,571

Group Art Unit: 2614

Filed: June 6, 1995

Examiner: Harvey, D.

Title: SIGNAL PROCESSING APPARATUS AND METHODS

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Technology Center 2600

Commissioner for Patents

Washington, DC 20231

Transmitted herewith is a Withdrawal of Petition Under 37 C.F.R. § 1.181 Filed March 7, 2000, and an Interview Summary.

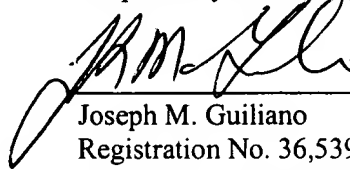
CLAIMS AS AMENDED						
	Claims Remaining After Amendment	Highest Number Previously Paid For	Extra	Rate		Amount
				Large Entity	Small Entity	
Number of Claims in Excess of 20	*	20	0	\$ 18.00	\$ 9.00	\$ 0.00
Independent Claims in Excess of 3	*	3	0	\$ 84.00	\$ 42.00	\$ 0.00
First Presentation of Multiple Dependent Claims				\$ 280.00	\$ 140.00	\$ 0.00
Extension Fee:	a) One Month			\$ 110.00	\$ 55.00	\$ 0.00
	b) Two Months			\$ 400.00	\$ 200.00	\$ 0.00
	c) Three Months			\$ 920.00	\$ 460.00	\$ 0.00
	d) Four Months			\$1440.00	\$ 720.00	\$ 0.00
	e) Five Months			\$1960.00	\$ 980.00	\$ 0.00
Other: Supplemental Information Disclosure Statement						\$ 0.00
TOTAL FEE DUE						\$ 0.00

- ☒ No additional fee is required.
☐ A check in the amount of \$ _____ is attached.
☐ Charge \$ _____ to Deposit Account No. 50-0206.
☒ Charge any additional fees or credit any overpayment to Deposit Account No. 06-1075.

- Small Entity Status Claim:
☐ is hereby requested.
☐ is of record in this application.

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Respectfully submitted,



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : John C. Harvey and
James W. Cuddihy

Serial No. : 08/470,571

Filed : June 6, 1995

For : SIGNAL PROCESSING APPARATUS AND METHODS

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Examiner : Harvey, D.

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WITHDRAWAL OF PETITION UNDER 37 C.F.R. § 1.181 FILED MARCH 7, 2000

Commissioner for Patents
Washington, DC 20231

Sir:

In a Petition to the Commissioner under 37 C.F.R. § 1.181 filed March 7, 2000 (the Petition) and in an Amendment and Request for Reconsideration under 37 C.F.R. § 1.111 filed June 7, 2000 (June 2000 Amendment), applicants set forth reasons why the "Administrative Requirement" imposed in the Office action mailed January 7, 2000 is improper. Applicants maintain the view that the Administrative Requirement is improper. However, to advance the prosecution of this application, applicants hereby agree to comply with the Administrative Requirement at such time that applicants receive written notification that this application is otherwise in condition for allowance. Applicants' compliance will take the form of one of the following actions:

- (1) filing terminal disclaimers in each of the related co-pending applications terminally disclaiming each of the other co-pending applications;

- (2) providing an affidavit attesting to the fact that all claims in the co-pending applications have been reviewed by applicant and that no conflicting claims exists between the applications; or
- (3) resolving all conflicts between claims in the identified co-pending applications by identifying how all the claims in the instant application are distinct and separate inventions from all the claims in the identified co-pending applications.

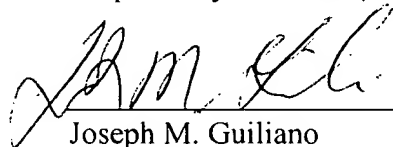
Also in the Petition, applicants assert that the pace of action by the United States Patent and Trademark Office (Office) has been contrary to the guidelines expressed in the Manual of Patent Examining Procedure. Applicants therefore requested the imposition of a schedule including time limits prohibiting delay in issuing Office actions and other correspondence in this and applicants' co-pending applications. Applicants are now of the view that the reason for this request has been rendered moot, given the large number of communications recently received from the Office relating to applicants' co-pending applications. Applicants therefore withdraw the request for imposition of a schedule.

Accordingly, applicants hereby withdraw the Petition in its entirety.

Date: March 7, 2002

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Applicants : John C. Harvey and
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Serial No. : 08/470,571

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For : SIGNAL PROCESSING APPARATUS AND METHODS

Group Art Unit : 2614

Examiner : Harvey, D.

Commissioner for Patents
Washington, D.C. 20231

INTERVIEW SUMMARY

Sir:

The undersigned attorney wishes to thank the Supervisory Patent Examiner for the courtesies extended during the telephonic interview held on February 8, 2002 in connection with the above-referenced application and applicants' related copending applications listed below:

08/438,011	08/447,380	08/449,302	08/460,081 *	08/474,119 *	08/479,524 *
08/444,758	08/447,611 *	08/449,530	08/460,256 *	08/474,496 *	08/482,574 *
08/444,787 *	08/447,679	08/449,652 *	08/460,556	08/474,674 *	08/482,857
08/445,045	08/447,908	08/449,901 *	08/460,592 *	08/475,341 *	08/485,507 *
08/445,054 *	08/447,938 *	08/459,218 *	08/460,634 *	08/477,547	08/486,266 *
08/445,296 *	08/447,974	08/459,507 *	08/460,817	08/478,544	08/487,155 *
08/446,124 *	08/448,175 *	08/459,521	08/472,066	08/479,215	08/487,397
08/446,553	08/448,251	08/459,522	08/472,462 *	08/479,375 *	08/487,411
08/446,579 *	08/449,097	08/459,788	08/473,997 *	08/479,523 *	08/487,428 *

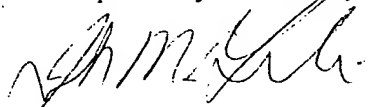
During the interview, the Supervisory Patent Examiner informed the undersigned attorney that applicants' replies filed on August 21, 2001 responsive to the March 21, 2001 Notices of Non-responsiveness mailed in connection with the applications listed above constitute complete responses to any outstanding rejections based on an alleged

failure to comply with the Administrative Requirement (although no agreement was reached as to whether or not applicants' arguments would be deemed persuasive). In addition, the Supervisory Patent Examiner and the undersigned attorney agreed that the filing of applicants' Withdrawal Of Petition Under 37 C.F.R. Section 1.181 Filed March 7 2000 (submitted herewith in connection with application Ser. No. 08/470,571) would render moot the issue of applicants' compliance with the Administrative Requirement in each of the applications listed above. The Supervisory Patent Examiner informed the undersigned attorney that the PTO would mail communications in connection with each of the applications listed above confirming that those applications remain pending. Furthermore, each such communication mailed by the PTO in connection with an application designated as a "B" application will confirm that prosecution of such "B" application will be suspended pending the outcome of prosecution of the corresponding "A" application (applications designated as "B" applications are identified by an asterisk in the above list).

Date: March 7, 2002

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